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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,450	10/19/2001	Keith E.G. Emery	10007533-1	4069

7590 02/21/2006  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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SHAH, MANISH S

ART UNIT	PAPER NUMBER
2853	

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/046,450	<b>Applicant(s)</b> EMERY, KEITH E.G.	
	<b>Examiner</b> Manish S. Shah	<b>Art Unit</b> 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The indicated allowability of claims 18-31 is withdrawn in view of the newly discovered reference(s) to Suzuki (# US 6163658). Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (# US 6163658).

Suzuki et al. discloses a method of writing data to a storage medium attached to a component that serves one or more purpose other than data storage including (element: 20, figure: 1-5), instructing a device, wherein the device is at least one of readable and writeable (element: 18, figure: 1-7); and emitting energy from the device, the emitting based on the instructing and the device positioned in proximity to the storage medium (figure: 6). They also disclose that the device is housed in a printer

(figure: 1-9). They also disclose that the component includes a printer cartridge (figure: 2). They also disclose that the emitting includes laser emission (figure: 2-9).

3. Claim 27 is rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (# US 6163658).

Suzuki et al. discloses a printer (figure: 1-9) including component at least one of the component having a laser storage medium attached thereto (figure: 2-9), wherein the storage medium is at least one of readable and writeable (elements: 18, 20; figure: 1-6).

4. Claims 28-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (# US 6163658).

Suzuki et al. discloses a method of instructing an image forming device including installing a component that serves one or more purpose other than data storage in the image forming device (element: 14, 18, 20, figure: 1-5), the component having a storage medium attached thereto (element: 18, figure: 2), the storage medium including stored information, the information stored to the storage medium through use of an electromagnetic beam (figure: 1-9); reading the stored information; and instructing the image forming device based on stored information (figure: 1-9). They also disclose that the component includes a printer cartridge (figure: 2). They also disclose that the stored information indicate a characteristic of the component, selected from age, use, prior use, and fluid level (column: 4, line: 58-65).

5. Claims 18-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Saruta et al. (# US 6533383).

Saruta et al. discloses a method of reading data from a storage medium (element: 27 & 32; figure: 3a-3b) and attachable to a replaceable component of an apparatus (print cartridge) (figure: 1-4), wherein data includes data related to an replaceable component (column: 7, line: 45-55); the replaceable component serving one or more purposes other than data storage and the storage medium (column: 7, line: 40-67). The storage medium is readable and writable and includes an adhesive for attachment to the component (column: 7, line: 65-67; column: 8, line: 1-5; figure: 3a-3b) or snap fits to component (figure: 4). They also disclose that the data includes data related to the print cartridge (date, manufacturer, material used) (column: 7, line: 46-55). They also disclose that the data stored to the storage medium through use of an electromagnetic beam or opto-magnetic (column: 16, line: 45-55). They also disclose that the emitting energy from a device positioned in proximity to the storage medium, wherein the device is at least one of readable and writeable; detecting energy reflected from the storage medium; and determining a bit value based on the detected energy (see Abstract; figure: 3-6, 9-11). They also disclose that the stored information indicate a characteristic of the component, selected from age, use, prior use, and fluid level (column: 7, line: 45-55).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Manish S. Shah  
Primary Examiner  
Art Unit 2853

MSS

2/13/06